

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 7091 of 2015
Date of decision : October 21, 2015

Raj Kumar

..... Petitioner

Versus

Smt. Suman Bala and others

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Varun Sharma, Advocate
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Amit Rawal, J (oral).

The present revision petition has been filed against the impugned order dated 25.8.2015 (Annexure P-1) whereby the trial court vide order dated 25.8.2015 (Annexure P-1) closed the evidence by order.

Learned counsel for the petitioner submits that an application for summoning the official witness, has been moved and even diet money was also deposited and petitioner-plaintiff has already examined three private witness and only official witness is to be examined.

I have heard learned counsel for the petitioner and appraised the paper book.

From the perusal of the zimni orders, it reveals that

no notices were issued to summon the official witness, particularly when diet money for examining the concerned clerk from the office of Sub Registrar, Amritsar, to bring the record of sale deed dated 17.6.1996, along with other witnesses had been deposited.

I am of the view that in order to advance justice, it is appropriate to grant one opportunity to the petitioner-plaintiff to examine the aforementioned witness through the process of the court, particularly when the application for summoning the witness had been moved and diet money in this regard, had also been deposited.

It is directed that the trial court shall ensure to summon the witness in accordance with law, however, the aforementioned order of mine shall be subject to payment of costs of ₹5,000/-.

It is made clear that the payment of costs would be condition precedent before availing the opportunity to examine the aforementioned witness.

The civil revision petition is allowed.

October 21, 2015
archana

(AMIT RAWAL)
JUDGE